



PATENT
Customer No. 22,852
Attorney Docket No. 6478.1478-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Bernhard NIESWANDT)	Group Art Unit: 1644
)	
Application No.: 10/702,039)	Examiner: Maher M. Haddad
)	
Filed: November 6, 2000)	Confirmation No. 7427
)	
For: MEDICAMENT FOR THE)	
PROTECTION AGAINST)	
THROMBOTIC DISEASES)	

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER M.P.E.P. 608.01(p)C
REGARDING DEPOSIT OF BIOLOGICAL MATERIALS

I do hereby declare and state that:

1. On information and belief, Applicant has, under the provisions of the Budapest Treaty, deposited a viable culture of the hybridoma referred to in the attached deposit receipt as "JAQ 1," on December 20, 2000, in the permanent culture collection of the Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH (DSMZ), Mascheroder Weg 1b, 38124 Braunschweig, Germany. The accession number of this hybridoma is DSM ACC 2478. A copy of the DSMZ deposit receipt is attached as Exh.

1.

2. On information and belief, this hybridoma was deposited under conditions insuring that access to the bacteria will be available to persons determined by the Commissioner as entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

3. Upon issuance of a patent on the above-identified patent application, or continuation applications thereof, any restriction as to the public availability of those deposits will be irrevocably removed, and those deposits will be replaced should the depository be unable to distribute a sample upon a proper request, during the enforceable life of the patent, or the period of five years after the last public request for the deposits, whichever period is longer.

4. On information and belief, pursuant to 37 C.F.R. § 1.804(b), the undersigned states that the deposited biological material identified in the attached deposit receipt is the biological material specifically identified in the application as filed.

5. The undersigned further declares that all statements made herein on his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of this document or any patent issuing thereon.

Date: 05/11/2005



Hugo Pfeil